

Apr 25, 2018

SEAN F. McAVOY, CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

TINA SMITH,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY

Defendant.

No. 1:17-cv-03020-FVS

ORDER ADOPTING REPORT AND
RECOMMENDATION TO DENY
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT AND
GRANT DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT

BEFORE THE COURT is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on March 19, 2018, ECF No. 16, recommending Plaintiff's Motion for Summary Judgment, ECF No. 12, be denied and Defendant's Motion for Summary Judgment, ECF No. 13, be granted. Plaintiff filed objections to the Report and Recommendation on April 2, 2018. ECF No. 18. Defendant responded to Plaintiff's objections on April 16, 2018. ECF No. 20.

After reviewing the Report and Recommendation, the objections and the response, and relevant authorities; the Court finds the Magistrate Judge's findings

ORDER ADOPTING REPORT AND RECOMMENDATION - 1

1 are correct. Therefore, the Court adopts the Report and Recommendation in its
2 entirety. Accordingly, **IT IS ORDERED:**

3 1. Plaintiff's Objections to Magistrate Judge Dimke's Report and
4 Recommendation, **ECF No. 18**, are **OVERRULED**.

5 2. The Report and Recommendation, **ECF No. 16**, is **ADOPTED** in its
6 entirety.

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is **DENIED**.

8 4. Defendant's Motion for Summary Judgment, **ECF No. 13**, is
9 **GRANTED**.

10 The District Court Executive is directed to file this Order and forward copies
11 to the parties. Judgment shall be entered for Defendant and the file shall be
12 **CLOSED**.

13 DATED April 25, 2018.

14 s/Fred Van Sickle
15 Fred Van Sickle
16 Senior United States District Judge
17
18
19
20